

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SELINA KEENE, et al.,
Plaintiffs,

v.

CITY AND COUNTY OF SAN
FRANCISCO, et al.,
Defendants.

Case No. [22-cv-01587-JSW](#)

**ORDER DENYING MOTION FOR
REHEARING**

Re: Dkt. No. 32

Now before the Court is the motion for rehearing due to manifest error of law or fact filed by Plaintiffs Selina Keene and Melody Fountila (“Plaintiffs”). The Court construes the motion to be a motion for leave to file a motion for reconsideration of the Court’s order granting individual defendants’ motion to dismiss and denying Plaintiffs’ motion for a preliminary injunction.

Under Local Rule 7-9(b), reconsideration may be sought only if one of the following circumstances exists: (1) a material difference in fact or law from that presented to the Court prior to issuance of the order that is the subject of the motion for reconsideration; (2) new material facts or a change of law occurring after issuance of such order; or (3) a manifest failure by the Court to consider material facts or dispositive legal arguments that were presented to the Court before issuance of such order. N.D. Civ. L.R. 7-9(b)(1)-(3). In addition, a party seeking leave to file a motion for reconsideration may not reargue any written or oral argument previously asserted to the Court. Civ. L.R. 7-9(c); *see also United States v. Hector*, 368 F. Supp. 2d 1060, 1063 (C.D. Cal.

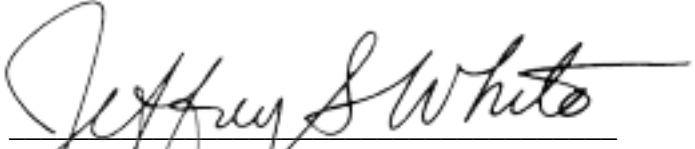
2005), rev'd on other grounds, 474 F.3d 1150 (9th Cir. 2007) ("A motion for reconsideration is not to be used as a means to reargue a case or to ask a court to rethink a decision it has made.").

The Court finds that Plaintiffs have failed to raise any issue regarding a material difference in law or fact from what was previously presented to the Court. Similarly, Plaintiffs have failed to demonstrate that there are new facts or a change in law occurring after issuance of the Court's order or that the Court manifestly failed to consider materials facts or dispositive legal arguments that were presented to the Court.

Accordingly, the Court DENIES Plaintiffs' motion for a rehearing due to manifest error of law or fact.

IT IS SO ORDERED.

Dated: October 7, 2022



JEFFREY S. WHITE
United States District Judge

United States District Court
Northern District of California